

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re) Chapter 7
)
James F. and Ramona L. Rice,) Case No. 08-31639
)
Debtors.) Hon. Carol A. Doyle
) Hearing Date: January 16, 2013
) Hearing Time: 10:30 A.M.

**COVER SHEET FOR APPLICATION FOR
PROFESSIONAL COMPENSATION**

Name of Applicant: Baldi Berg & Wallace Ltd.

Authorized to Provide
Professional Services to: Joseph A. Baldi, Trustee

Date of Order Authorizing
Employment: June 15, 2010

Period for Which
Compensation is sought: May 26, 2010 to Close of Case

Amount of Fees sought: \$4,000.00

Amount of Expense
Reimbursement sought: \$0.00

This is an: Interim Application ☐ Final Application ☒

If this is not the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date Filed</u>	<u>Period Covered</u>	<u>Total Requested (Fees & Expenses)</u>	<u>Total Allowed</u>
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Not Applicable

The aggregate amount of fees and expenses paid to the Applicant to date for services rendered and expenses incurred herein is: \$ -0-.

Dated: November 19, 2012

Baldi Berg & Wallace, Ltd.

By: /s/Joseph A. Baldi
Joseph A. Baldi

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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**Application for Allowance and Payment of Final Compensation
of Baldi Berg & Wallace, Ltd., Attorneys for Trustee**

Baldi Berg & Wallace, Ltd., ("BBW"), attorneys for Joseph A. Baldi, as trustee ("Trustee") of the estate ("Estate") of James F. and Ramona L. Rice, debtors ("Debtors"), pursuant to section 330 of title 11, United States Code ("Code"), request this Court to enter an order for the allowance and payment to BBW of \$4,000.00 as final compensation for 24.10 hours of legal services rendered to the Trustee from May 26, 2010 through the close of this case. In support thereof, BBW respectfully states as follows:

Introduction

1. Debtors commenced this case on November 19, 2008 by filing a voluntary petition for relief under chapter 7 of the Code.
2. Joseph A. Baldi is the duly appointed, qualified and acting chapter 7 trustee in this case.
3. As of the commencement of this case, the Estate's primary asset was the Debtors' claim for personal injury which was the subject of a lawsuit filed pre-petition and was docketed in the Circuit Court of Cook County as Case No. 2005-M5-000995 (the "PI Case"). Initially, the PI Case was unscheduled by the Debtors. Subsequently, after the Debtors settled a portion of the PI Case without Bankruptcy Court approval, the Debtors filed amended schedules listing the Debtors' interest in the PI Case and asserting an exemption therein.

4. The bar date for filing claims in this case was November 12, 2010.

Retention of BBW

5. On June 15, 2010, the Court entered an order authorizing Trustee to employ Joseph A. Baldi and the law firm of Baldi Berg & Wallace, Ltd. as his counsel in this case. A copy of the order authorizing Trustee to retain BBW is attached hereto as Exhibit A. BBW has served as counsel for Trustee at all times since its retention.

6. The professional qualifications and experience of the BBW attorneys who have performed substantial legal services for the Trustee during the period covered by this Application are set forth in Exhibit B. The attorneys and paralegals who were primarily responsible for representing the Trustee during the period covered by this fee application are:

Joseph A. Baldi -- Partner
Donna B. Wallace -- Partner
Julia D. Loper -- Associate
Ricki K. Podorovsky -- Paralegal

Prior Compensation Received

7. This is the first and final application ("Application") for allowance and payment of compensation that BBW will file in this case.

Services Rendered by BBW

8. Itemized and detailed descriptions of the specific services rendered by BBW to the Trustee for which compensation is sought in this Application are reflected on the billing statements attached hereto as Exhibit C. The billing statements set forth the name of each attorney or paralegal, the amount of time spent rendering each service, the date on which each service was rendered, a description of the service rendered and the total number of hours of services rendered by each attorney or paralegal in each category.

9. The services rendered by BBW during the period covered by this Application are summarized as follows: BBW prepared and presented the Trustee's Motion to Employ Attorneys; as requested by the Trustee, BBW prepared and presented the Trustee's Objection to the Debtors'

Exemption; as a result, the Debtors claimed exemption in the PI Case was reduced from the invalidly inflated amount of \$30,000.00 to the valid amount of \$15,000.00; BBW represented and advised the Trustee in the resolution of the PI Case including the ramifications of the settlement of that portion of the PI Case which was disposed of without Bankruptcy Court approval despite the Estate's interest in the PI Case; as requested by the Trustee, BBW prepared and presented a motion to compromise which sought to resolve all issues and claims in the PI Case; upon this Court's order dated July 7, 2011, the Trustee's Motion to Compromise and for related relief was granted and the Estate recovered proceeds in excess of \$10,000 (net of the Debtors' allowed exemption) for the benefit of the Estate; in addition, as requested by Trustee, BBW examined the fees paid to Debtors' bankruptcy counsel in this case and advised the Trustee regarding the potential return of a portion of those fees as a result of failure to list the PI Case in a timely manner and the resultant problems to the Debtors and their special counsel in the PI Case; BBW prepared this final fee application; and BBW otherwise represented and advised the Trustee with respect to his duties under the Bankruptcy Code.

Compensation Requested

10. BBW has expended a total of 24.10 hours for the services described and categorized in paragraph nine above. The total value of those services is \$5,007.00. In order to provide the Debtors' creditors with a larger distribution, BBW voluntarily agrees to limit its fee request to \$4,000.00.

11. All of the services performed by BBW were required for proper representation of the Trustee in this case, were authorized by this Court and were performed by BBW at the request and direction of the Trustee. Pursuant to Section 330 of the Code and the generally applicable criteria with respect to the nature, extent and value of the services performed, all of BBW's services are compensable and the compensation requested herein is fair and reasonable. There has been no duplication of services rendered to the Trustee by BBW for which compensation is requested. In those instances where two or more attorneys participated in any matter, such joint participation was

necessary due to the complexity of the problems involved.

12. The rates charged by the attorneys and paralegals of BBW in this Application are their usual and customary hourly rates charged during the period covered by this Application for work performed for other clients in both bankruptcy and non-bankruptcy matters. A list of each person who performed services for the Trustee and their hourly rate is contained in the billing statements attached hereto as Exhibit C.

Payment of Compensation

13. BBW has not entered into any agreement or understanding of any kind, express or implied, with any other entity to share any compensation received or to be received by BBW for services rendered to the Trustee in connection with this case. As set forth above, BBW voluntarily capped its request for compensation.

14. BBW has not previously received or been promised any payments for services rendered in this case.

15. The Affidavit of Joseph A Baldi pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure is attached hereto as Exhibit D and made a part hereof.

16. The proposed source for payment of the compensation requested in this Application are the Estate funds in the Trustee's possession, collected by him during his administration of this case.

Status of the Case

17. The Trustee has administered all of the assets belonging to this Estate and completed his review and analysis of the claims filed against the Estate.

18. Trustee has completed and filed his Final Report simultaneously herewith. A Final Fee Application for the Trustee has also been filed concurrently with this Application.

Financial Condition of the Case

19. Trustee currently has approximately \$9,900.00 on deposit in the Estate's bank accounts. The Chapter 7 administrative expenses that are currently owing and those the Trustee

anticipates the Estate will incur prior to the closing of this case include 1) the fees allowed to Trustee in connection with his final fee application, 2) the legal fees and expenses allowed to Baldi Berg & Wallace, Ltd. in connection with this final fee application, and 3) any fees which may be due or outstanding to the offices of the United States Trustee and the Clerk of the United States Bankruptcy Court.

20. Following payment of all Chapter 7 administrative expenses set forth above, Trustee estimates there will be funds available to make a final distribution to timely filed general unsecured creditors in this case.

Trustee's Approval

21. BBW certifies that the Trustee has received, reviewed and approved this Application.

WHEREFORE, Baldi Berg & Wallace, Ltd., attorneys for Joseph A. Baldi, as trustee, requests the entry of an order providing the following:

A. Allowing to Baldi Berg & Wallace, Ltd. final compensation in the amount of \$4,000.00 for actual and necessary professional services rendered to the Trustee from May 26, 2010 through the closing of this case; and

B. For such other and further relief as this Court deems appropriate.

Dated: October 31, 2012

Baldi Berg & Wallace, Ltd.

Attorneys for Joseph A. Baldi, as trustee of the estate
of James & Ramona Rice, debtors

By: /s/Joseph A. Baldi

Joseph A. Baldi/Atty ID 00100145
Elizabeth C. Berg/Atty ID 6200886
Baldi Berg & Wallace, Ltd.
19 South LaSalle St. Suite 1500
Chicago, IL 60603
312.726.8150

Retention Order

Exhibit A

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re)	Chapter 7
)	Case No. 08 31639
James F. and Ramona L. Rice,)	Hon. Carol A. Doyle
)	Hearing Date: June 15, 2010
Debtors.)	Hearing Time: 10:00 a.m.

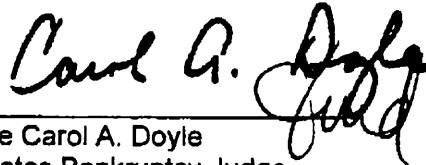
Order Authorizing Trustee to Employ Attorneys

THIS CAUSE comes before this Court on the Trustee's Application to Employ Joseph A. Baldi and the law firm of Joseph A. Baldi & Associates, P.C. as attorneys for Trustee and the supporting affidavit of Joseph A. Baldi; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that Joseph A. Baldi, as trustee of the estate of James F. and Ramona L. Rice, debtors, is authorized to employ Joseph A. Baldi and the law firm of Joseph A. Baldi & Associates, P.C. to act as counsel for the Trustee, with compensation to be paid in such amounts as may be allowed by this Court upon proper application.

Dated: June 15, 2010

ENTER:



Honorable Carol A. Doyle
United States Bankruptcy Judge

Joseph A. Baldi
Attorney ID No. 00100145
Elizabeth C. Berg
Attorney ID No. 6200886
Joseph A. Baldi & Associates, P.C.
19 South LaSalle Street Suite 1500
Chicago, IL 60603
(312) 726-8150

Professional Qualifications

Exhibit B

Baldi Berg & Wallace, Ltd.

Joseph A. Baldi

Joseph Baldi is the founding member of the Chicago bankruptcy boutique firm of Baldi Berg & Wallace, Ltd. (formerly Joseph A. Baldi & Associates, P.C.). Prior to establishing the firm in 2000, Mr. Baldi was a partner in the Chicago law firms of Schwartz & Freeman and Rosenthal and Schanfield, P.C., where he served as chairman of bankruptcy and reorganization practice group. In addition to his experience in private practice, Mr. Baldi spent five years as a staff attorney with the Office of the United States Trustee, a component of the United States Department of Justice.

Mr. Baldi has specialized in insolvency law for over 25 years and has extensive experience in a variety of settings, including bankruptcies, workouts, receiverships and assignments for the benefit of creditors. He has represented clients in all sectors of the bankruptcy arena, including debtors, bankruptcy trustees, lenders, claimholders and creditor committees. Mr. Baldi has counseled both individual and corporate debtors in chapter 7, 11, and 13 cases and has significant experience with complex commercial bankruptcies.

In addition to his experience acting as bankruptcy counsel, Mr. Baldi is a long time member of the panel of private bankruptcy trustees appointed by the United States Trustee's Office for the Northern District of Illinois. In over twenty years as a chapter 7 trustee, Mr. Baldi has liquidated a broad range of business entities, including law firms, real estate ventures, distributorships, retail firms and financial service providers. He has also operated numerous businesses as a chapter 11 trustee, including an aluminum manufacturing facility, a steel mini-mill, and an industrial real estate partnership.

Mr. Baldi is licensed to practice law in the state of Illinois and admitted to practice before the Seventh Circuit Court of Appeals and many federal bankruptcy courts in the Midwest. He is a member of the Chicago Bar Association, National Association of Bankruptcy Trustees and American

Baldi Berg & Wallace, Ltd.

Bankruptcy Institute, where he is a frequent lecturer on a variety of bankruptcy topics.

In addition to his legal pursuits, Mr. Baldi is active in municipal affairs in his hometown of Park Ridge, Illinois and currently serves as a commissioner on the city's Planning and Zoning Commission. Mr. Baldi graduated *cum laude* from the DePaul University College of Law and holds a B.A. in Psychology from Western Illinois University.

Donna B. Wallace

Donna B. Wallace is a Partner of the firm whose expertise is in representing debtors, creditors and trustees in chapter 7, 11 and 13 proceedings. Prior to attaining her law degree, Mrs. Wallace spent fourteen years in Accounting and Finance with Rockwell International. In her last position with Rockwell, Mrs. Wallace was a Business Segment Controller where she supervised a joint venture with a Japanese Company. After graduating from law school, Mrs. Wallace joined the Bankruptcy Group at Rosenthal and Schanfield; she later joined the firm of Rathje Woodward Dyer and Burt in Wheaton, Illinois where she concentrated in bankruptcy and commercial litigation. Mrs. Wallace is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a certified mediator and arbitrator.

Mrs. Wallace received her Juris Doctor, *with highest distinction*, from The John Marshall Law School in Chicago. At John Marshall, she received the Wall Street Journal Business Planning Award, was a member of the Law Review which published her comment on the topic of lenders liability and was elected to the Order of John Marshall. Mrs. Wallace received an undergraduate degree in Economics and a Masters Degree in Business Administration.

Mrs. Wallace has served as a part-time member of the accounting and law faculties at various colleges including College of DuPage, MacCormac College, and Roosevelt University and was Associate Professor of Paralegal Studies at Northwestern Business College prior to joining the firm.

Baldi Berg & Wallace, Ltd.

Julia D. Loper

Julia D. Loper is an associate with the firm and represents bankruptcy trustees and debtors in chapter 7, chapter 11, and chapter 13 bankruptcies. Ms. Loper has worked with Baldi Berg and Wallace, Ltd. since 2009. Ms. Loper also has general civil litigation experience. Ms. Loper is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a member of the Chicago Bar Association. Ms. Loper received her Juris Doctor from Michigan State College of Law and received her Bachelor of Arts degree from University of Utah in Psychology and Gender Studies.

Ricki K. Podorovsky

Ricki K. Podorovsky is a paralegal with the firm. Ms. Podorovsky has worked with Baldi Berg & Wallace, Ltd. since 2001. Ms. Podorovsky has worked with Chapter 7 Trustees for approximately 20 years. Ms. Podorovsky received her Paralegal Certificate with honors from Roosevelt University in Chicago, Illinois. Ms. Podorovsky received her Bachelor of Arts degree from University of Iowa in Philosophy.

Billing Statements

Exhibit C

19 S. LaSalle Street

Suite 1500

Chicago, IL 60603

Phone: (312) 726-8150

Fax: (312) 726-5067

FEIN: 36-4352753

Invoice submitted to:

October 31, 2012

Invoice No: 02114

Joseph A. Baldi, trustee
 Baldi Berg & Wallace
 19 South LaSalle Street
 Suite 1500
 Chicago, IL 60603

In Reference to: *Rice - General Administration***Professional Services**

Date	Staff	Description	Hours	Charges
5/13/2010	RKP	Draft objection to claimed exemption (1.2); draft proposed order (.2); review case docket and schedules for information needed to draft objection (.2).	1.60 \$190.00/ hr	\$304.00
5/14/2010	RKP	Amend objection to exemption per J. Baldi (.4); prepare for filing and efile (.4)	0.80 \$190.00/ hr	\$152.00
5/24/2010	RKP	Draft motion to employ attorneys (.8); and notice, affidavit and order (.3)	1.10 \$190.00/ hr	\$209.00
5/26/2010	RKP	Amend motion to retain attorneys (.2) and prepare for filing and service (.1); efile	0.30 \$190.00/ hr	\$57.00
6/14/2010	DBW	Conference with Trustee re basis for disallowing claim in its entirety	0.20 \$325.00/ hr	\$65.00
6/15/2010	DBW	appear in court re objection to exemptions (.4), revise order (.2), transmittal letter to judge (.1)	0.70 \$325.00/ hr	\$227.50
8/10/2010	JDL	Review documents including release and pleadings with ECB and JAB.	1.20 \$200.00/ hr	\$240.00
8/23/2010	JDL	Discuss settlement with JAB.	0.20 \$200.00/ hr	\$40.00
8/24/2010	JDL	Prepare Motion to Compromise and Settle (including 2002 notice and proposed order) (3.9) Prepare settlement letter to J. Grazian (.4)	4.30 \$200.00/ hr	\$860.00

Baldi Berg & Wallace, Ltd.

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8/30/2010	JDL	Review Motion to approve settlement.	0.40 \$200.00/ hr	\$80.00
5/11/2011	RKP	Draft letter to Grazian re: terms of settlement (.2); discuss same with Trustee (.1); phone conversation with J. Grazian re: terms of settlement and process to obtain bankruptcy court approval (.2).	0.50 \$190.00/ hr	\$95.00
5/27/2011	RKP	Draft motion to settle	2.50 \$190.00/ hr	\$475.00
5/31/2011	RKP	Draft 2002 Notice to creditors (.8); review and edit motion (.3).	1.10 \$190.00/ hr	\$209.00
6/09/2011	RKP	Amend motion to settle to prepare for filing (.2); amend 2002 notice to prepare for filing (.2) efile (.1); and oversee service of notice to all creditors per Rule 2002 (.3).	0.70 \$190.00/ hr	\$133.00
6/14/2011	RKP	Phone conversation with Clerk's office re: Motion to Settle and related relief (.30); prepare amended orders (.40); prepare amended docket entry (.30).	1.00 \$190.00/ hr	\$190.00
7/07/2011	JAB	Prepare for and attend hearing on Rice (Doyle)-Motion to Settle	0.60 \$425.00/ hr	\$255.00
7/08/2011	RKP	Review orders entered re: settlement and related relief (.1); letter to Grazian transmitting same and directing payment of settlement funds (.3); phone conversation with Grazian re: turnover from Debtor's attorney (.1).	0.50 \$190.00/ hr	\$95.00
8/05/2011	RKP	Review letter from Grazian re: debtor's payments to estate per settlement (.2); memo to Grazian re: same (.1); discuss demand to Benjamin with Trustee (.1); review section 329 re demand for refund of attorney fees (.1).	0.50 \$190.00/ hr	\$95.00
12/05/2011	RKP	Draft letter to K. Benjamin re: refund to estate of attorneys fees paid by Debtors	1.00 \$190.00/ hr	\$190.00
1/23/2012	RKP	Review case file (.1) and advise Trustee as to tax reporting requirements (.1)	0.20 \$195.00/ hr	\$39.00
2/13/2012	JDL	Prepare Motion to Review attorney's fees. (.9) Telephone call to K. Benjamin re: check (.2)	1.10 \$235.00/ hr	\$258.50
2/21/2012	JDL	Email w/ J. Grazian re: status of attorney payment documents.	0.10 \$235.00/ hr	\$23.50
3/01/2012	JDL	Email to J. Grazian re: debtor attorney retention and payment documentation.	0.10 \$235.00/ hr	\$23.50

Baldi Berg & Wallace, Ltd.

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5/01/2012	JDL	Teleconference w/ John Grazian re: attorney fees Debtors paid K. Benjamin (.2) Email re: same (.1) Conference w/ Trustee re: same (.3)	0.60 \$235.00/ hr	\$141.00
5/17/2012	JDL	Review payments made by debtors.	0.10 \$235.00/ hr	\$23.50
10/23/2012	RKP	Draft BBW fee application (1.2); prepare time detail for exhibit to fee application (.8); coversheet, proposed order, affidavit and notice (.4); review/edit same (.3).	2.70 \$195.00/ hr	\$526.50
Total Hours			24.10	Total Fees
				\$5,007.00

10/31/2012

Rice - General Administration

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\$5,007.00

\$0.00

\$5,007.00

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Donna B Wallace	0.90	\$325.00
Joseph A Baldi	0.60	\$425.00
Julia D Loper	6.10	\$200.00
Julia D Loper	2.00	\$235.00
Ricki K Podorovsky	11.60	\$190.00
Ricki K Podorovsky	2.90	\$195.00

**Baldi Berg & Wallace
Final Fee Application**

**James & Ramona Rice, Debtors
Case No. 08-31639**

Rule 2016 Affidavit

Exhibit D

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION


In re)	Chapter 7
)	
James F. and Ramona L. Rice,)	Case No. 08-31639
)	
Debtors.)	Hon. Carol A. Doyle

Rule 2016 Affidavit

State of Illinois)
County of Cook)

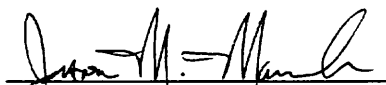
I, Joseph A. Baldi, being first duly sworn upon oath, do depose and state as follows:

1. I am the principal of Baldi Berg & Wallace, Ltd. and am authorized to execute this affidavit on behalf of Baldi Berg & Wallace, Ltd.
2. I have read the Application for Allowance and Payment of Final Compensation of Baldi Berg & Wallace, Ltd., Attorneys for Trustee ("Application") and all of the factual matters set forth therein are true to the best of my knowledge, information and belief. Baldi Berg & Wallace, Ltd. has performed the services set forth and described in the Application at the request and pursuant to the direction of the Trustee.
3. A copy of the Application has been provided to Trustee and the Trustee has reviewed and approved the Application.
4. Baldi Berg & Wallace, Ltd. has not previously received payment of any compensation for services rendered in connection with this case. Baldi Berg & Wallace, Ltd. has not entered into any agreement with any other person or persons for the sharing of compensation received or to be received for services rendered in connection with this matter, except among the principals and associates of Baldi Berg & Wallace, Ltd. Baldi Berg & Wallace, Ltd. voluntarily agreed to limit its request for fees to \$4,000.00.
5. Further affiant sayeth naught.



Joseph A. Baldi

Subscribed and Sworn to before me
this 20 day of November, 2012



Notary Public

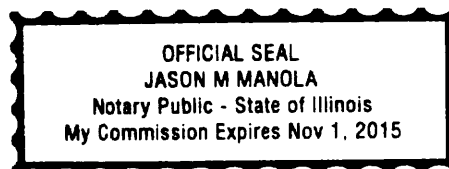


Exhibit D